REMARKS

Claims 1-4 and 6-8 are pending. Claim 1 is hereby amended. No new matter has been added, and support can be found at, for example, paragraphs [0009], [0041], and [0045]-[0049] of the originally filed specification.

1. 35 U.S.C. 102 Rejection

Claims 1-3 and 7 are rejected under 35 U.S.C. 102(b) over Bosley (U.S. 5,514,176).

Claim 1 is applicants' sole pending independent claim, and it recites a stent for use within a body lumen of a patient. The stent comprises a coil segment and a flexible polymer material. The coil segment comprises a wound element including one or more windings spaced from each other along at least a portion of the length of the coil segment. The spaced windings are separated by a distance of at least about 0.5 millimeters. The coil segment is extendable lengthwise from a first length to an extended length, and is compressible lengthwise from the extended length. The flexible polymer material encapsulates at least a portion of the coil segment and is disposed between the spaced windings of the wound element to form an imperforate flexible webbing between the windings.

Applicants respectfully submit that Bosley at least does not disclose that the coil segment is extendable lengthwise from a first length to an extended length and compressible lengthwise from the extended length. Also, Bosley at least does not disclose that the spaced windings are separated by a distance of at least about 0.5 millimeters.

Bosley describes a pull apart coil stent having adjacent loops detachably secured to one another to yield a configuration of generally fixed dimension.

In the action, it is indicated that Figure 9 of Bosley "shows the coil segment clearly is extendable." However, at column 7, lines 7-19, Bosley discloses that "forceps are used to grasp the tag end 22 of the stent 10 and separate adjacent coil loops 12 from one another" which "forms the separated loops 12 into a pulled shape 40 of a diameter less than the diameter of the

remainder of the stent 10, and less than the diameter of the body lumen 50." "Optimally, the pulling action of the forceps 48 causes the loops 12 to separate completely from one another, so that the pulled shape 40 is fully uncoiled, and is essentially straight and flexible." Clearly Bosley does not teach or suggest at least that the coil segment is compressible lengthwise from this pulled shape.

Further, Bosley describes a stent having adjacent loops that abut each other (Abstract; col. 4, lines 8-11). There is no teaching or suggestion in Bosley regarding spaces of any particular distance between the windings.

2. <u>35 U.S.C. 103 Rejection -- Bosley and Yachia</u>

Claims 4 and 6 are rejected under 35 U.S.C. 103(a) over Bosley in view of Yachia et al (U.S. 5,246,445). Claims 4 and 6 depend from claim 1.

As set forth above, claim 1 is patentable over Bosley. Yachia does not remedy the deficiencies in Bosley.

In a first embodiment, Yachia describes a wire having tight windings to prevent "leaking through" of the inner lining of a vessel or duct and prevent incorporation of the device into that inner lining or wall (col. 4, lines 45-49). In an alternate embodiment, to allow incorporation of the stent into the wall of a duct, a space of about 0.1 to 2.0 mm is left between windings (col. 4, lines 49-52).

Thus, in the first embodiment, tight windings are provided to prevent incorporation of the device. In this embodiment, the is no spacing or, at most, there is less than 0.1 mm spacing. Thus, applicants' claimed "distance of at least about 0.5 millimeter" is not taught or suggested by this first embodiment in Yachia.

In the alternate embodiment, a space of 0.1 to 2.0 mm allows for incorporation of the stent into the wall of a duct. However, in this alternate embodiment, there is nothing between the

windings but space (to allow the ingrowth). There is no teaching or suggestion at all in Yachia to dispose a flexible polymer material between spaced windings to inhibit ingrowth.

3. 35 U.S.C. 103 Rejection -- Bosley and Hachtman

Claim 8 is rejected under 35 U.S.C. 103(a) over Bosley in view of Hachtman et al. (U.S. 5,645,559). Claim 8 depends from claim 1.

Hachtman does not remedy the deficiencies in Bosley. Hachtman merely describes a stent in the form of an open weave/mesh. Hatchman does not teach or suggest the claimed stent.

CONCLUSION

In view of the foregoing, applicants request reconsideration and allowance of claims 1-4 and 6-8.

It is believed that no fees are required for consideration of this response. However, if for any reason the fee paid is inadequate or credit is owed for any excess fee paid, the Office is hereby authorized and requested to charge Deposit Account No. **04-1105**.

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Respectfully submitted,

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